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09/897,328	07/02/2001	Haruhiko Kinoshita	NECW 18.788	2068

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EXAMINER

LIVERSEDGE, JENNIFER L

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/897,328	Applicant(s) KINOSHITA, HARUHIKO	
	Examiner Jennifer Liversedge	Art Unit 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/4/2004</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,154,729 to Cannon et al. (further referred to as Cannon), in view of U.S. Pub. No. 2001/0047326 A1 to Broadbent et al. (further referred to as Broadbent).

Regarding claim 1, Cannon discloses an examination method comprising the steps of storing information on business activities of an enterprise on a server from a terminal of said enterprise through a network (Figure 1; column 1, lines 23-47; column 2, lines 38-42); providing said information on business activities of said enterprise accumulated on server for an examiner (column 1, lines 11-16 and lines 34-47); and

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evaluating activities of said enterprise based on said information on business activities provided for said examiner (column 1, lines 11-16).

Cannon does not disclose where the server is an ASP (Application Service Provider) server. However, Broadbent discloses where the server is an ASP server (page 6, paragraph 0085). It would be obvious to one of ordinary skill in the art to use the ASP server as disclosed by Broadbent with the merchant information reporting system as disclosed by Cannon. The motivation would be that ASP servers are a popular business model with regards to servers and communication systems.

Regarding claim 3, Cannon discloses an examination method comprising the steps of transmitting information on business activities of an enterprise from a terminal of said enterprise to a server through a network (Figure 1; column 1, lines 23-42; column 2, lines 35-50); accumulating said information on business activities of said enterprise on said server (column 1, lines 23-39; column 2, lines 35-50); transmitting said information on business activities of said enterprise accumulated on said server to a terminal of an examiner based on a request from said examiner, said examiner being to perform an examination of said enterprise (column 2, lines 46- 50); and outputting said information on business activities of said enterprise on said terminal of said examiner (column 2, lines 46-50), wherein said information on business activities of said enterprise accumulated on said server is not open to a third party except said enterprise and said examiner (column 2, lines 51-59; column 3, lines 4-18), and said examiner evaluates activities of said enterprise based on said information on business activities

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transmitted to said terminal of said examiner to perform an examination of said enterprise (column 1, lines 10-22).

Cannon does not disclose where the server is an ASP (Application Service Provider) server. However, Broadbent discloses where the server is an ASP server (page 6, paragraph 0085). It would be obvious to one of ordinary skill in the art to use the ASP server as disclosed by Broadbent with the merchant information reporting system as disclosed by Cannon. The motivation would be that ASP servers are a popular business model with regards to servers and communication systems.

Regarding claim 4, Cannon discloses the examination method wherein the server is operated by said examiner (column 2, lines 46-60 and column 3, lines 4-11). See claim 3 for combination and motivation for using an ASP server.

Regarding claim 2 and 5, Cannon discloses the examination method wherein said examination is an examination for determining whether a loan can be offered to said enterprise (column 1, lines 10-25).

Regarding claim 6, Cannon discloses a loan examination method comprising the steps of recording information on business activities of an examinee on a server operated by a financial institution from a terminal of said examinee, said examinee being a company, corporation or enterprise to be examined (column 1, lines 10-38); performing at least one of addition, update, deletion, and view of said information on

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business activities recorded on said server from said terminal of examinee (column 2, lines 38-59); acquiring said information on business activities of said examinee stored on said server through said terminal of said financial institution (column 1, lines 10-39 and column 2, lines 38-50); determining whether said loan can be offered to said examinee based on said information on business activities of said examinee stored on said server (column 1, lines 10-51).

Cannon does not disclose where the server is an ASP (Application Service Provider) server. However, Broadbent discloses where the server is an ASP server (page 6, paragraph 0085). It would be obvious to one of ordinary skill in the art to use the ASP server as disclosed by Broadbent with the merchant information reporting system as disclosed by Cannon. The motivation would be that ASP servers are a popular business model with regards to servers and communication systems.

Cannon does not disclose transmitting a request for loan from said terminal of said examinee to a terminal of said financial institution and notifying said terminal of said examinee of the determination result. However, Broadbent discloses transmitting a request for loan from said terminal of said examinee to a terminal of said financial institution and notifying said terminal of said examinee of the determination result (page 1, paragraphs 0010 and 0011; page 3, paragraphs 0025, 0028 and 0029; page 5, paragraph 0055, 0065 and 0068; page 9, paragraph 0123; page 25, paragraph 0275; page 26, paragraph 0280). It would be obvious to one of ordinary skill in the art to combine receiving a request and posting a response through the terminals as disclosed by Broadbent with the merchant information reporting system as disclosed by Cannon.

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The motivation would be to fully utilize the networks and servers in place, to create a fully electronic mechanism of applying for, processing, and reporting on the loan status.

Regarding claim 7, Cannon discloses a loan examination method comprising the steps of recording information on one of finance, accounting, sales, and manufacturing (column 2, lines 62-67) of an examinee on a server operated by a financial institution from a terminal of said examinee, said examinee being a company, corporation or enterprise to be examined (Figure 1; column 1, lines 23-47; column 2, lines 38-42); performing addition, update, deletion, or view of said information on business activities on said server from said terminal of said examinee in accordance with progress of actual business activities (column 2, lines 38-59); closely investigating said information on general business activities regarding at least one of finance, accounting, sales, and manufacturing of said examinee stored on said server from said terminal of said financial institution (column 1, lines 10-25; column 2, lines 62-67); determining whether said loan can be offered to said examinee based on said information on business activities of said examinee stored on said server (column 1, lines 10-51).

Cannon does not disclose where the server is an ASP (Application Service Provider) server. However, Broadbent discloses where the server is an ASP server (page 6, paragraph 0085). It would be obvious to one of ordinary skill in the art to use the ASP server as disclosed by Broadbent with the merchant information reporting system as disclosed by Cannon. The motivation would be that ASP servers are a popular business model with regards to servers and communication systems.

Cannon does not disclose transmitting a request for new loan from said terminal of said examinee to a terminal of said financial institution and notifying said terminal of said examinee of the determination result. However, Broadbent discloses transmitting a request for a new loan from said terminal of said examinee to a terminal of said financial institution and notifying said terminal of said examinee of the determination result (page 1, paragraphs 0010 and 0011; page 3, paragraphs 0025, 0028 and 0029; page 5, paragraph 0055, 0065 and 0068; page 9, paragraph 0123; page 25, paragraph 0275; page 26, paragraph 0280). It would be obvious to one of ordinary skill in the art to combine receiving a request and posting a response through the terminals as disclosed by Broadbent with the merchant information reporting system as disclosed by Cannon. The motivation would be to fully utilize the networks and servers in place, to create a fully electronic mechanism of applying for, processing, and reporting on the loan status.

Regarding claim 8, Cannon discloses a server operated by an examiner who is to perform an examination of an enterprise (column 2, lines 46-60 and column 3, lines 4-11), said server comprising means of receiving information on business activities of said enterprise to be examined transmitted from a terminal of said enterprise through a network (Figure 1; column 1, lines 23-42; column 2, lines 35-50); and means for accumulating said received information on business activities (column 1, lines 23-39; column 2, lines 35-50); and means for transmitting said accumulated information on business activities of said enterprise to a terminal of said examiner through said network based on a request transmitted from said terminal of said examiner through said

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network (column 2, lines 46- 50); wherein said information on business activities of said enterprise accumulated on said server is not open to a third party except said enterprise and said examiner (column 2, lines 51-59; column 3, lines 4-18).

Cannon does not disclose where the server is an ASP (Application Service Provider) server. However, Broadbent discloses where the server is an ASP server (page 6, paragraph 0085). It would be obvious to one of ordinary skill in the art to use the ASP server as disclosed by Broadbent with the merchant information reporting system as disclosed by Cannon. The motivation would be that ASP servers are a popular business model with regards to servers and communication systems.

Regarding claim 9, Cannon discloses a loan examination system comprising a communication network (column 2, lines 38-50); a terminal of a financial institution connected to said communication network (column 2, lines 38-50); a terminal of an examinee connected to said communication network, said examinee being a company, corporation or enterprise to be examined (column 1, lines 10-51); a server connected to said communication network and operated by said financial institution (column 1, lines 28-51 and column 2, lines 38-56); said terminal of said financial institution including means for making a request to said server for predetermined information on business activities of said examinee stored on said server to receive said information on business activities (column 1, lines 10-51; column 2, lines 51-67; column 3, lines 12-18); said terminal of said examinee including means for recording said predetermined information on business activities of said examinee on said server (column 1, lines 10-51; column 2,

lines 37-67), updating, deleting and viewing said predetermined information on business activities of said examinee recorded on said server (column 1, lines 34-37 and column 2, lines 41-43 in which reports are compiled on short time intervals which it would be obvious would include changes such as updates and deletions otherwise there would be no reason to make the change and compile the results on short time intervals); said server including means for receiving said information on business activities of said examinee transmitted from said terminal of said examinee, providing said information on business activities of said examinee for said terminal of said examinee based on a request from terminal of said examinee, and performing record, update, or deletion of said information on business activities of said examinee based on an instruction from said terminal of said examinee (column 2, lines 38-59); means for accumulating said received information on business activities (column 1, lines 23-39; column 2, lines 35-50); and means for providing, based on a request from said terminal of said financial institution, requested information on business activities of said examinee for said terminal of said financial institution (column 2, lines 38-56).

Cannon does not disclose where the server is an ASP (Application Service Provider) server. However, Broadbent discloses where the server is an ASP server (page 6, paragraph 0085). It would be obvious to one of ordinary skill in the art to use the ASP server as disclosed by Broadbent with the merchant information reporting system as disclosed by Cannon. The motivation would be that ASP servers are a popular business model with regards to servers and communication systems.

Cannon, does not disclose transmitting a request for new loan from said terminal of said examinee to a terminal of said financial institution and notifying said terminal of said examinee of the determination result. However, Broadbent discloses transmitting a request for a new loan from said terminal of said examinee to a terminal of said financial institution and notifying said terminal of said examinee of the determination result (page 1, paragraphs 0010 and 0011; page 3, paragraphs 0025, 0028 and 0029; page 5, paragraph 0055, 0065 and 0068; page 9, paragraph 0123; page 25, paragraph 0275; page 26, paragraph 0280). It would be obvious to one of ordinary skill in the art to combine receiving a request and posting a response through the terminals as disclosed by Broadbent with the merchant information reporting system as disclosed by Cannon. The motivation would be to fully utilize the networks and servers in place, to create a fully electronic mechanism of applying for, processing, and reporting on the loan status.

Regarding claim 10, Cannon discloses a loan examination system comprising a communication network (column 2, lines 38-50); a terminal of a financial institution connected to said communication network (column 2, lines 38-50); a terminal of an examinee connected to said communication network, said examinee being a company, corporation or enterprise to be examined (column 1, lines 10-51); a server connected to said communication network and operated by said financial institution (column 1, lines 28-51 and column 2, lines 38-56); said terminal of said financial institution including means for viewing information on general business activities regarding at least one of finance, accounting, sales, and manufacturing of said examinee stored on said server

(column 1, lines 10-51; column 2, lines 51-67; column 3, lines 12-18); said terminal of said examinee including means for recording information on general business activities regarding at least one of finance, accounting, sales, and manufacturing of said examinee on said server (column 1, lines 10-51; column 2, lines 37-67; column 3, lines 12-18), updating, deleting and viewing said information on general business activities of said examinee recorded on said server (column 1, lines 34-37 and column 2, lines 41-43 in which reports are compiled on short time intervals which it would be obvious would include changes such as updates and deletions otherwise there would be no reason to make the change and compile the results on short time intervals); said server including means for storing said information on general business activities of said examinee transmitted from said terminal of said examinee (column 2, lines 38-67); means for performing record, update, or deletion of said information on general business activities of said examinee in storing means based on an instruction from said terminal of said examinee (column 2, lines 38-59); and reading said information on general business activities of said examinee from said storing means based on a request from said terminal of said examinee to transmit said read information to said terminal of said examinee (column 2, lines 38-67; column 3, lines 4-18); and means for reading said information on general business activities of said examinee requested from said terminal of said financial institution from said storing means to transmit said read information to said terminal of said financial institution (column 2, lines 38-67 and column 3, lines 1-18).

Cannon does not disclose where the server is an ASP (Application Service Provider) server. However, Broadbent discloses where the server is an ASP server (page 6, paragraph 0085). It would be obvious to one of ordinary skill in the art to use the ASP server as disclosed by Broadbent with the merchant information reporting system as disclosed by Cannon. The motivation would be that ASP servers are a popular business model with regards to servers and communication systems.

Cannon does not disclose transmitting a request for new loan from said terminal of said examinee to a terminal of said financial institution and notifying said terminal of said examinee of the determination result. However, Broadbent discloses transmitting a request for a new loan from said terminal of said examinee to a terminal of said financial institution and notifying said terminal of said examinee of the determination result (page 1, paragraphs 0010 and 0011; page 3, paragraphs 0025, 0028 and 0029; page 5, paragraph 0055, 0065 and 0068; page 9, paragraph 0123; page 25, paragraph 0275; page 26, paragraph 0280). It would be obvious to one of ordinary skill in the art to combine receiving a request and posting a response through the terminals as disclosed by Broadbent with the merchant information reporting system as disclosed by Cannon. The motivation would be to fully utilize the networks and servers in place, to create a fully electronic mechanism of applying for, processing, and reporting on the loan status.

Regarding claim 11, Cannon discloses a recording medium readable by a computer connected to a server and a terminal of an examinee through a network (column 1, lines 10-47 and column 2, lines 38-50), said examinee being a company,

corporation or enterprise to be examined (column 1, lines 10-39), said recording medium having a program recorded thereon causing said computer to perform the processing of viewing predetermined information on business activities of said examinee stored on said server (column 1, lines 10-51; column 2, lines 37-67; column 3, lines 12-18).

Cannon does not disclose where the server is an ASP (Application Service Provider) server. However, Broadbent discloses where the server is an ASP server (page 6, paragraph 0085). It would be obvious to one of ordinary skill in the art to use the ASP server as disclosed by Broadbent with the merchant information reporting system as disclosed by Cannon. The motivation would be that ASP servers are a popular business model with regards to servers and communication systems.

Cannon does not disclose transmitting a request for new loan from said terminal of said examinee to a terminal of said financial institution and notifying said terminal of said examinee of the determination result. However, Broadbent discloses transmitting a request for a new loan from said terminal of said examinee to a terminal of said financial institution and notifying said terminal of said examinee of the determination result (page 1, paragraphs 0010 and 0011; page 3, paragraphs 0025, 0028 and 0029; page 5, paragraph 0055, 0065 and 0068; page 9, paragraph 0123; page 25, paragraph 0275; page 26, paragraph 0280). It would be obvious to one of ordinary skill in the art to combine receiving a request and posting a response through the terminals as disclosed by Broadbent with the merchant information reporting system as disclosed by Cannon.

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The motivation would be to fully utilize the networks and servers in place, to create a fully electronic mechanism of applying for, processing, and reporting on the loan status.

Regarding claim 12, Cannon discloses a recording medium readable by a computer connected to a terminal of a financial institution and a server through a network (column 1, lines 10-47 and column 2, lines 38-50), said recording medium having a program recorded thereon causing said computer to perform the processing of recording predetermined information on business activities of an examinee on said server (column 1, lines 10-51; column 2, lines 37-67; column 3, lines 12-18), said examinee being a company, corporation or enterprise to be examined (column 1, lines 10-39); updating, deleting and viewing said predetermined information on business activities of said examinee recorded on said server (column 1, lines 34-37 and column 2, lines 41-43 in which reports are compiled on short time intervals which it would be obvious would include changes such as updates and deletions otherwise there would be no reason to make the change and compile the results on short time intervals);

Cannon does not disclose where the server is an ASP (Application Service Provider) server. However, Broadbent discloses where the server is an ASP server (page 6, paragraph 0085). It would be obvious to one of ordinary skill in the art to use the ASP server as disclosed by Broadbent with the merchant information reporting system as disclosed by Cannon. The motivation would be that ASP servers are a popular business model with regards to servers and communication systems.

Cannon does not disclose transmitting a request for new loan from said terminal of said examinee to a terminal of said financial institution and notifying said terminal of said examinee of the determination result. However, Broadbent discloses transmitting a request for a new loan from said terminal of said examinee to a terminal of said financial institution and notifying said terminal of said examinee of the determination result (page 1, paragraphs 0010 and 0011; page 3, paragraphs 0025, 0028 and 0029; page 5, paragraph 0055, 0065 and 0068; page 9, paragraph 0123; page 25, paragraph 0275; page 26, paragraph 0280). It would be obvious to one of ordinary skill in the art to combine receiving a request and posting a response through the terminals as disclosed by Broadbent with the merchant information reporting system as disclosed by Cannon. The motivation would be to fully utilize the networks and servers in place, to create a fully electronic mechanism of applying for, processing, and reporting on the loan status.

Regarding claim 13, Cannon discloses a recording medium readable by a computer connected to a terminal of a financial institution and a terminal of an examinee through a network (column 1, lines 10-47 and column 2, lines 38-50), said examinee being a company, corporation or enterprise to be examined (column 1, lines 10-39), said recording medium recording a program recorded thereon for performing the processing of receiving information on business activities of said examinee transmitted from said terminal of said examinee to accumulate said received information on a storage device stored on said server (column 1, lines 10-51; column 2, lines 37-67); reading and transmitting from said storage device said information on business activities

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of said examinee requested from said terminal of said financial institution or said terminal of said examinee (column 2, lines 38-59); and performing record, update, or deletion of said information on business activities of said examinee in said storage device based on an instruction from said terminal of said examinee (column 1, lines 34-37 and column 2, lines 41-43 in which reports are compiled on short time intervals which it would be obvious would include changes such as updates and deletions otherwise there would be no reason to make the change and compile the results on short time intervals).

Conclusion

Any inquiry concerning this communication should be directed to Jennifer Liversedge whose telephone number is 571-272-3167. The examiner can normally be reached on Monday – Friday, 8:30 – 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sam Sough can be reached at 571-272-6799. The fax number for the organization where the application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jennifer Liversedge

Examiner

Art Unit 3628



HYUNG SOUNG
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TECHNOLOGY CENTER 3628